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August 1, 2007

BY HAND  
Hon. Brian M. Cogan  
United States District Judge  
United States District Court  
225 Cadman Plaza  
Brooklyn, NY

Re: Century Jets, LLC v. Forest City Enterprises, Inc.  
1:07-cv-02402 (BMC (RML))

Dear Judge Cogan:

I am in receipt of both the Court's and opposing counsel's recent communications in this matter. While Mr. Koczko's letter does not provide the Court with information as to all relevant communications, particularly my communications with Defendants' General Counsel, I will not detail those omissions here.

Plaintiff seeks a speedy resolution on the merits of the case, and rather than engage in motion practice relating to venue and jurisdiction, my client has authorized me to dismiss voluntarily this action, and instead to respond by appropriate means to the Complaint filed in state court in Ohio, reserving all rights.

Subject to the Court's contrary direction, my suggestion is that the conference scheduled for August 3 be adjourned two weeks in contemplation of the filing by Plaintiff of a Notice of Dismissal under Rule 41 (a) in advance of that adjourned date.

Respectfully yours,

Stephen R. Sugrue

cc: Joseph B. Koczko, Esq.